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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 02, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JARED ANTHONY WINTERER,

Petitioner,

v.

JAY INSLEE,

Respondent.

NO: 4:22-CV-05107-RMP
ORDER DISMISSING ACTION

By Order filed October 24, 2022, the Court directed Petitioner Jared Anthony Winterer, a *pro se* prisoner at the Washington State Penitentiary, to either pay the \$5.00 filing fee to commence this federal habeas action or to provide a completed application to proceed *in forma pauperis*. ECF No. 12. On October 25, 2022, Petitioner filed a letter stating, “The federal court lacks due process of law to make me pay.” ECF No. 13 at 1. He also asserts that General Order 16-35-1, requiring prisoners to submit their documents electronically to the court via the law librarian, violates due process and “Due process of law won’t support state and federal law enforcement until the EMTALA violation is corrected.” *Id.*

1 It appears from Petitioner's letter that the Petitioner does not intend to comply
2 with the Court's Order. Therefore, **IT IS ORDERED** that this action is
3 **DISMISSED** for failure to pay the filing fee as required by 28 U.S.C. § 1914, or to
4 comply with the requirements to proceed *in forma pauperis* set forth in Rule 3(a)(2),
5 Rules Governing Section 2254 Cases in the United States District Courts.

6 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
7 Order, enter judgment, provide a copy to Petitioner at his last known address, and
8 close the file. The Court certifies that any appeal from this decision could not be
9 taken in good faith, and there is no basis upon which to issue a certificate of
10 appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b). A certificate of
11 appealability is, therefore, **DENIED**.

12 **DATED** December 2, 2022.

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15 *s/ Rosanna Malouf Peterson*
ROSANNA MALOUF PETERSON
16 Senior United States District Judge
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